HON'BLE SRI G.S. SINGHVI, THE CHIEF JUSTICE

AND

HON'BLE SRI JUSTICE G. BHAVANI PRASAD

WRIT PETITION No. 9354 OF 2006

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Between:

Md. Khaleel

……Petitioner

And

The State of Andhra Pradesh,

Rep. By its Secretary, E.F.S & T Department,

A.P. Secretariat, Hyderabad

and three others

……Respondents

:: ORDER ::

Counsel for the Petitioner : Smt. M.S. Tirumala Rani

Counsel for Respondent Nos.2 and 3 : Sri S.V. Bhatt

Dated: 28-04-2006

Per G.S. SINGHVI, CJ

This is a petition for issue of a mandamus to Andhra Pradesh Pollution Control Board (for short 'the Board') to check the pollution being caused by running of respondent No.4 oil mill.

We have heard Smt. M.S. Tirumala Rani and perused the record.

In our opinion, it is not necessary to issue formal notice to the respondents because we feel that ends of justice would be met by directing the petitioner to make a representation to the Chairman/Secretary of the Board with a direction to the latter to dispose of the same after getting a report on the alleged pollution caused by operation of respondent No.4 mill. The needful be done by the competent authority within a period of four weeks from the date of receipt of representation. However, it is made clear that no order adversely affecting respondent No.4 shall be passed by the Board without hearing the said respondent.

If the Board comes to the conclusion that the operation of respondent No.4 is causing pollution and it is necessary to take action against the said respondent, then the time period of four weeks fixed by the Court shall stand extended to eight weeks.

With the above direction, the writ petition is disposed of.

G.S.SINGHVI, CJ

G.BHAVANI PRASAD,J

28-04-2006

Ks /svs